

**EXTENSION NOTICE FOR  
HYPERION ENERGY CENTER'S  
PREVENTION OF SIGNIFICANT DETERIORATION  
AIR QUALITY PERMIT CONSTRUCTION EXTENSION APPLICATION  
AND DRAFT PERMIT CONDITIONS**

On February 17 and 18, 2011, the South Dakota Department of Environment and Natural Resources (DENR) published a notice in several newspapers in southeastern South Dakota and one newspaper in Sioux City, Iowa, announcing the start of a 30-day public comment period for draft permit conditions revising Hyperion's Prevention of Significant Deterioration air quality permit. After receiving requests to extend the 30-day comment period, DENR is now announcing an extension of the public comment period until April 1, 2011, for all interested parties and the public.

Under this extension, DENR must receive all comments in its office by close of business on April 1, 2011. To ensure DENR has adequate time to respond to everyone's comments within the 30-day time frame established in state rules, we ask that everyone submit their comments as soon as possible.

Hyperion is permitted to construct and operate the Hyperion Energy Center consisting of a petroleum refinery and an integrated gasification combined cycle power plant. The Hyperion Energy Center will process on average 400,000 barrels per day of crude oil. Hyperion submitted a request to extend the construction deadline from February 20, 2011, to August 20, 2012. The request included reviews of the new 1-hour National Ambient Air Quality Standards for nitrogen dioxide and sulfur dioxide, inclusion of a coker quench water tank, and analyses of the Best Available Control Technology for the permitted equipment and greenhouse gas emissions.

Hyperion's application for the extension includes new air quality modeling and other information showing compliance with the new federal air quality standards and requirements to include complying with EPA's greenhouse gas tailoring rule.

DENR's review of the extension request indicates Hyperion can construct and operate in compliance with the state and federal air quality requirements established to protect public health and the environment. Therefore, DENR drafted a Prevention of Significant Deterioration air quality permit with conditions to ensure compliance with the state Air Pollution Control Act - SDCL 34A-1 and the federal Clean Air Act. Any person desiring to comment on DENR's draft revised permit conditions must submit written comments to the address below:

Department of Environment and Natural Resources  
Division of Environmental Services  
523 East Capitol, Joe Foss Building  
Pierre, SD 57501

Copies of DENR's file on the extension request (e.g., draft revised permit conditions, DENR's statement of basis, and Hyperion's application) are available by contacting Kyrik Rombough, Natural Resources Engineering Director, at the above address or by telephone at (605) 773-3151; visiting DENR's air quality website at <http://denr.sd.gov/hyperionagrfe.aspx>; or by visiting us at the above location or the address below:

DENR's Geological Survey Program  
Akeley-Lawrence Science Center, University of South Dakota  
414 East Clark  
Vermillion, SD 57069-2390

A contested case hearing has been requested in front of the Board of Minerals and Environment. Any person desiring to participate in the contested case hearing in front of the Board of Minerals and Environment must file a petition to intervene which complies with ARSD 74:09:01:01. The petition to intervene must be filed by April 1, 2011, or if that person submits comments on DENR's draft permit pursuant to the paragraph above, within 30 days of receiving notice of DENR's final permit decision.



Steven M Pirner, Secretary  
Department of Environment and Natural Resources

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